

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**November 18, 2005**

**DIVISION ONE**

B175876     People  
              v.  
              Isaac Gaston

Filed order denying petition for rehearing.

B178319     People  
              v.  
              Art Olivares

Filed order denying petition for rehearing.

**DIVISION TWO**

Court convened at 9:00 a.m.

Present: Boren, P.J., Doi Todd, J., Ashmann-Gerst, J. and Joyce Hatter, Deputy Clerk.

Each of the following:

B179156     People v. Branch  
B180479     In re: Lauren P.

Argument waived, cause submitted.

DIVISION TWO (Continued)

B182553     Monterroso  
              v.  
              Moran

Merits:  
Argued by Jane Preece for appellant and no appearance by respondent.  
Cause submitted.

B177798     Chen  
              v.  
              Rosenstein et al.

Merits:  
Argued by Paul Buchberg for appellant and by Max Cassing for  
respondents. Cause submitted.

B173637     Executive Office Concepts  
              v.  
              The Wells Group, Inc.

Merits:  
Argued by Brian Barrow for appellant/respondent Executive Office  
Concepts and by Martin Hill for respondent/appellant The Wells Group,  
Inc. Cause submitted.

Yegan, J. (assigned) assumes the bench.

Ashmann-Gerst, J. leaves bench.

B176966     Los Angeles Unified School District  
              v.  
              1540 Wilshire Blvd. Rental Services, LLC

Merits:  
Argued by John Peterson for appellant and by Connie Sandifer for  
respondent. Cause submitted.

DIVISION TWO (Continued)

Boren, P.J. leaves the bench.

Ashmann-Gerst, J. assumes the bench.

B177086     O'Brien  
                 v.  
                 O'Brien

Merits:

Argued by Michael O'Brien for appellant and by Sheral Hyde for respondent. Cause submitted.

Boren, P.J. assumes the bench.

B181198     Universal Banner Network, Inc.  
                 v.  
                 Zell

Merits:

Argued by Mark Rabinovich for appellant and by Joseph Kar for respondent. Cause submitted.

Yegan, J. (assigned) leaves bench.

B181515     Craven, et al.  
                 v.  
                 Diversified Financial Concepts, Inc.

Merits:

Argued by Marguerite Malloy for appellants and by William Lancaster for respondent. Cause submitted.

November 18, 2005 (Continued)

## DIVISION TWO (Continued)

B179663      Vannier  
v.  
Gateway Companies, Inc., et al.

Merits:  
Argued by Philip A. Kramer for appellant and by Jeffrey McFarland for respondents. Cause submitted.

Court adjourned.

DIVISION THREE

B179674 People (Not for Publication)  
v.  
Macias

The judgment is affirmed.

Klein, P.J.

We concur:   Kitching, J.  
                      Aldrich, J.

B178313 People (Not for Publication)  
v.  
Dixon

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.  
Kitching, J.

### DIVISION THREE (Continued)

B174144 People (Not for Publication)  
v.  
Chan

The 15-year minimum term imposed under Penal Code section 186.22, subdivision (b)(1), is stricken and the Clerk of the Superior Court is directed to prepare and to forward to the Department of Corrections an amended abstract of judgment. The judgment is otherwise affirmed. The petition for writ of habeas corpus is denied.

Aldrich, J.

We concur: Klein, P.J.  
Croskey, J.

B179637 People (Not for Publication)  
v.  
Britson

The judgment is affirmed.

Kitching, J.

We concur: Klein, P.J.  
Aldrich, J.

B178257 People (Not for Publication)  
v.  
Armendariz

The judgment is affirmed.

Kitching, J.

We concur: Klein, P.J.  
Croskey, J.

DIVISION THREE (Continued)

B181988      In Re Rodney Bernard Hall      (Not for Publication)  
                 on  
                 Habeas Corpus

The order to show cause is discharged, and the petition for writ of habeas corpus is denied.

Klein, P.J.

We concur:    Croskey, J.  
                         Kitching, J.

B181606      Los Angeles County, D.C.S.      (Not for Publication)  
                 v.  
                 Aracelia S.,

The judgment is affirmed.

Kitching, J.

We concur:    Klein, P.J.  
                         Croskey, J.

B178610      Los Angeles County, D.C.S.      (Not for Publication)  
                 v.  
                 Demetrio H., et al.

The custody order with respect to Jose C. is reversed. In all other respects, the jurisdictional and dispositional orders are affirmed.

Aldrich, J.

We concur:    Croskey, Acting P.J.  
                         Kitching, J.

DIVISION THREE (Continued)

B182752      Los Angeles County, D.C.S.  
                 v.  
                 Armando B., et al

The court on its own motion hereby vacates the order of dismissal of October 20, 2005. In addition, the order submitting the above entitled matter, also filed on October 20, 2005, is hereby vacated.

DIVISION EIGHT

B185803      World Savings Bank, F.S.B.,  
                 v.  
                 Paeco Corporation, et al.,

Filed order denying petition for rehearing.

B176333      John R. Rico et al.,                      (Not for Publication)  
                 v.  
                 James M. Chick et al.

For the reasons set forth above, plaintiffs' appeal from the judgment of dismissal as to defendants Chick and Lucas is dismissed. We affirm the order denying Chick and Lucas's motion for attorney's fees and granting plaintiffs' motion for sanctions against Doonan. Each party shall bear its own costs on appeal.

Rubin, J.

We concur:    Cooper, P.J.  
                 Boland, J.

DIVISION EIGHT (Continued)

[illegible]

The judgment is affirmed.

Flier, J.

We concur: Rubin, Acting P.J.  
Boland, J.

[illegible]

The conditions of probation are modified to read: "15. Do not associate with anyone you know to be disapproved of by your mother or probation officer"; and "16. Do not have any dangerous or deadly weapon in your possession, nor remain in the presence of any person you know to be unlawfully armed." As so modified, the judgment is affirmed.

Flier, J.

We concur: Cooper, P.J.  
Rubin, J.



## DIVISION EIGHT (Continued)

B177866 People (Not for Publication)  
v.  
Deon D.,

Probation condition No. 15 is modified to read: "Do not associate with anyone you know to be disapproved of by your parents or probation officer" and is further modified to include a check in the boxes next to "co-minors" and "other" and to insert Deondre's name after "other." Probation condition No. 21 is modified to read: "Do not use or possess narcotics, controlled substances, poisons, or related paraphernalia; stay away from places where you know users congregate." The case is remanded to the juvenile court for a declaration whether the sexual battery by restraint offense is a misdemeanor or a felony. The judgment is otherwise affirmed.

Flier, J.

We concur: Cooper, P.J.  
Rubin, J.

B176295      Peacock et al.,                      (Not for Publication)  
v.  
Glovia International, Inc.,

The judgment is affirmed. Respondent is to recover its costs on appeal.

Flier, J.

We concur: Rubin, Acting P.J.  
Boland, J.

November 18, 2005 (Continued)

## DIVISION EIGHT (Continued)

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The judgment is affirmed.

Flier, J.

We concur: Rubin, Acting P.J.  
Boland, J.